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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/748,114	12/29/2003	Carlos F. Vonderwalde	R0495-01201	1742
7590	01/23/2008		EXAMINER	
Martin Moynihan c/o Anthony Castorina 2001 Jefferson Davis Hwy. Ste. 207 Arlington, VA 22202			TYSON, MELANIE RUANO	
			ART UNIT	PAPER NUMBER
			3773	
			MAIL DATE	
			01/23/2008	DELIVERY MODE
				PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/748,114	VONDERWALDE ET AL.
	Examiner	Art Unit
	Melanie Tyson	3773

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1)  Responsive to communication(s) filed on 25 October 2007.
- 2a)  This action is FINAL.                            2b)  This action is non-final.
- 3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4)  Claim(s) 66-70,75 and 76 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5)  Claim(s) 66-70,75 and 76 is/are allowed.
- 6)  Claim(s) \_\_\_\_\_ is/are rejected.
- 7)  Claim(s) 66-68 is/are objected to.
- 8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9)  The specification is objected to by the Examiner.
- 10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a)  All    b)  Some \* c)  None of:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1)  Notice of References Cited (PTO-892)
- 2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3)  Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5)  Notice of Informal Patent Application
- 6)  Other: \_\_\_\_\_

## **DETAILED ACTION**

This action is in response to Applicant's amendment received on 25 October 2007. Corrections made have been accepted.

### ***Quayle Action***

This application is in condition for allowance except for the following formal matters:

#### **Specification:**

The specification fails to list all of the continuation data. Suggested language is as follows: --This application is a continuation application of U.S. Patent Application Serial No. 09/664,999, entitled STENT WITH COVER CONNECTORS, filed September 18, 2000, which is a continuation-in-part application of U.S. Patent Application Serial No. 09/522,336, entitled STENT WITH COVER CONNECTORS, filed March 9, 2000, incorporated herein in their entirety by reference.--

#### **Claim Objections:**

Claims 66-68 are objected to because of the following informalities: they contain typographical errors and unclear language.

In claim 66, line 13, replace "said wire loop" with --said bent wire loop--. In lines 16-17, replace "a said part of an end of said first ring-shaped wall section folded over said first cover end is a maxima of an undulation of said wire loop" with --a portion of one of said bendable cover connectors folded over said first cover end is a maxima of an undulation of said bent wire loop.--

In claim 67, line 5, replace "one of said bendable cover connector" with --one of said bendable cover connectors--. In line 7, replace "wherein said wire loop" with --said bent wire loop--. In lines 9-10, replace "a said part of an end of said second ring-shaped wall section folded over said second cover end is a maxima of an undulation of said wire loop" with --a portion of one of said bendable cover connectors folded over said second cover end is a maxima of an undulation of said bent wire loop.--

In claim 68, it is unclear as to how the stent cover is in contact with an *inner surface* of the stent body, since the stent cover is a *cover* and is shown in Figures 8-10 as *covering* an outer surface only. Appropriate correction is necessary.

***Conclusion***

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 25 USPQ 74, 453 O.G. 213, (Comm'r Pat. 1935).

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melanie Tyson whose telephone number is (571) 272-9062. The examiner can normally be reached on Monday through Friday 9-5:30 (max flex).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jackie Ho can be reached on (571) 272-4696. The fax

phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Melanie Tyson  
January 14, 2008

  
(JACKIE) TAN-UYEN HO  
SUPERVISORY PATENT EXAMINER